

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

PENNY LYNN SOUTH,

Plaintiff,

v.

Case No: 2:19-cv-627-SPC-NPM

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

\_\_\_\_\_ /

**ORDER**<sup>1</sup>

Before the Court are the parties' responses ([Docs. 28; 29](#)) to the Court's Order to Show Cause ([Doc. 27](#)). The Court stayed this case pending a now-issued Supreme Court decision. Given the responses, the Court finds it appropriate to exercise its discretion and lift the stay. See *Clinton v. Jones*, 520 U.S. 681, 706 (1997). Regarding supplemental briefing, however, Judge Mizell is well-positioned to decide whether it's necessary as he reviews the parties' Joint Memorandum ([Doc. 21](#)). So the Court defers to his judgment on that question and refers this case to him for further proceedings.

Accordingly, it is now


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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

**ORDERED:**

- (1) The stay is **LIFTED**.
- (2) The Clerk is **DIRECTED** to reopen the case and remove the stay flag from the docket.

**DONE** and **ORDERED** in Fort Myers, Florida on May 7, 2021.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record